REMARKS

After entry of the Amendment, claims 5-17, 21-28, and 30-47 are pending in the application. Claims 48-52 have been added. Claims 46 and 47 have been amended to more specifically claim the subject matter of Applicants' invention. Reconsideration of the application as amended is respectfully requested in view of the amendments defined herein and the following remarks.

In the Office Action date December 15, 2006, claims 5, 9-12 and 46 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hilpert, U.S. Patent No. 1,902,237 in view of Esser, U.S. Patent No. 5,609,965. The Examiner submits that although Hilpert does not specifically teach a paint layer, it would have been obvious to one skilled in the art to form a dish rack, as taught by Hilpert, having a coated metal frame with an added layer of non-metallic paint, as taught by Esser. Claim 46, from which claims 5 and 9-12 depend, recites a dish rack having an exterior coating covering at least a portion of the metal frame to protect the metal frame from corrosion. The exterior coating, as recited in claim 46, includes an electrocoated, non-metallic paint layer on the metal frame and a polymer layer on the electrocoated frame. See Figs. 3 and 4.

Hilpert discloses a metal dish rack frame having a coating 12, preferably of rubber or other similar organic material. Pg. 1, ll. 62-63 and 85-86. The coating is preferably continuous and is attached to the metal base so that there is no relative movement between the metallic base and the coating. Pg. 2, ll. 73-79. The coating 12 may be applied by spraying or brushing the rack with the rubber material in removable liquid materials, by dipping the rack in a bath of the coating material, or electroplating the rubber on the metallic base. Pg. 2, ll. 79-88. The rubber or polymer layer is applied to the metal frame. As stated by the Examiner, Applicants submit that Hilpert is devoid of a paint layer, specifically an electrocoated, non-metallic paint layer. Applicants further submit that Hilpert is also devoid of the polymer layer being on an electrocoated, non-metallic paint layer as recited in claim 46.

Esser discloses cross-linkable surface coating of an aqueous or water-based polymeric composition. The composition can be applied to substrates including metal surfaces and can be used in various home appliance components, including a dish washer.

Col. 4, l. 64- col. 5, l. 2 and ll. 35-40. This reference focuses on the production of the aqueous polymeric composition or formulation. Esser briefly states that the composition produced can be stored at room temperature in a metal can, glass container, plastic tube, or the like. The composition is applied to a suitable substrate and "in due course" the aqueous emulsion evaporates causing cross-linking to occur. Col. 17, ll. 54-67. Therefore Esser is relevant only for its disclosure of the production of polymeric coating for application on suitable substrates, including components of dish washers. However, the combination of Hilpert and Esser are devoid of an exterior coating comprising an electrocoated, non-metallic paint layer on the metal frame and a polymer layer on the electrocoated, non-metallic paint layer as recited in claim 46. Reconsideration is respectfully requested.

Claims 6-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hilpert in view of Esser as applied to claims 5, 9-12 and 46, and further in view of Richart, U.S. Patent No. 3,640,747. The Examiner submits that although Hilpert and Esser do not teach the application of polyvinyl chloride or a polyvinyl chloride blend, it would have been obvious to modify the teachings of Hilpert by substituting the rubber coating with a vinyl coating as taught by Richart. Claims 6-8 include by dependency the subject matter of claim 46. Applicants resubmit that the Hilpert and Esser, taken singly or in combination, are devoid of the invention recited in claim 46, which claims 5-8 and 9-12 include by dependency. Richart is relevant only for its disclosure of coating dish racks with vinyl resins. Col. 1, ll. 41-45. Therefore, the addition of Richart does not yield the invention as recited in claim 46, which claims 6-8 include by dependency.

Claim 47 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Hess, U.S. Application No. 2001/0032825, in view of Hilpert and Esser as applied to claims 5, 9-12 and 46. The Examiner submits that Hess does not teach an electrocoated layer on the metal frame or a polymer layer on the electrocoated layer, but that it would have been obvious to modify the dish rack in Hess to have a non-metallic paint layer to provide added protection to the metal frame of the dish rack against oxidation and corrosion.

Claim 47 discloses a dish washer having a dish rack with an exterior coating covering at least a portion of the metal frame to protect the metal frame from corrosion. The exterior coating, as recited in claim 47, includes an electrocoated, non-metallic paint layer on the metal frame and a polymer layer on the electrocoated frame. See Figs. 3 and 4.

Hess discloses a wire frame dish rack having a plastic coating. See Fig. 3 and ¶[0015]. The coating may be plastic, substantially polyamide, and deposited by a plastic coating process, so long as the coating distributes water uniformly as a film across the entire coated surface so that it vaporizes quickly with little addition of heat. ¶¶[0013] and [0015]. The plastic coating is applied directly to the metal frame. Therefore, Hess is devoid of an exterior coating comprising an electrocoated, non-metallic paint layer on the metal frame and a polymer layer on the electrocoated, non-metallic paint layer as recited in claim 47. Applicants also resubmit that the combination of Hilpert and Esser are devoid of an exterior coating comprising an electrocoated, non-metallic paint layer on the metal frame and a polymer layer on the electrocoated, non-metallic paint layer as recited in claim 47. Therefore, the addition of Hess does not does not yield the invention as recited in claim 47. Reconsideration is respectfully requested.

Claims 5, 9-12 and 46 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hilpert in view of Uchida et al, U.S. Patent No. 3,501,278. The Examiner submits that although Hilpert does not teach a paint layer, it would have been obvious to modify the teachings of Hilpert by electrodepositing a non-metallic paint onto the metal frame or metal coated metal frame for good corrosion resistance as taught by Uchida. In Hilpert, the coating is continuous and is attached directly to the metal base so that there is no relative movement between the metallic base and the coating. Pg. 2, ll. 73-79. Applicants resubmit that Hilpert is devoid of a paint layer, specifically an electrocoated, non-metallic paint layer and a polymer layer being on an electrocoated, non-metallic paint layer as recited in claim 46. And Uchida is relevant only for its disclosure of of electrodepositing a paint coating directly on zinc plated steel. The references, taken singly or in combination, do not disclose a polymer layer being on an electrocoated, non-metallic paint layer as recited in claim 46, from which claims 5 and 9-12 depend. Reconsideration is requested.

Claims 6-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hilpert in view of Uchida as applied to claims 5, 9-12 and 46, and further in view of Richart. The Examiner submits that Hilpert and Uchida do not teach the application of polyvinyl chloride or a polyvinyl chloride blend, but that it would have been obvious to substitute the rubber coating with a vinyl coating as taught by Richart. Applicants resubmit that the Hilpert and Esser, taken singly or in combination, are devoid of the invention recited in claim 46, which claims 5-8 and 9-12 include by dependency. Richart is relevant only for its disclosure

of coating dish racks with vinyl resins. Col. 1, ll. 41-45. Uchida is relevant only for its disclosure of electrodepositing a paint coating directly on zinc plated steel. Applicants submit that it would not be obvious to one skilled in the art to add an exterior coating to a dish rack wherein the exterior coating comprises an electrocoated, non-metallic paint layer on the metal frame and a polymer layer on the electrocoated, non-metallic paint layer as recited in claim 46, which claims 6-8 include by dependency, in view of the cited references. Reconsideration is respectfully requested.

Claim 47 stands rejected under 35 U.S.C. 103 (a) as being unpatentable over Hess in views of Hilpert and Uchida. The Examiner submits that Hess does not teach an electrocoated layer on the metal frame or a polymer layer on the electrocoated layer, but that it would have been obvious to modify the coated dish rack in Hess to include an electrodeposited non-metallic paint layer to provide added protection to the metal frame of the dish rack as taught by Hilpert and Uchida. Applicants resubmit that the combination of Hess and Hilpert is devoid of a paint layer, specifically an electrocoated, non-metallic paint layer and a polymer layer being on an electrocoated, non-metallic paint layer as recited in claim 47. Although Uchida discloses electrodepositing a paint coating directly on zinc plated steel, the references are devoid of an electrocoated, non-metallic paint layer on the metal and a polymer layer being on an electrocoated, non-metallic paint layer as recited in claim 47.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed and this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places

the application in suitable condition for allowance; notice of which is respectfully requested.

Respectfully submitted,

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